

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**BOARD ROOM**  
**HEALTH AND HUMAN SERVICES BUILDING**  
**WILLMAR, MINNESOTA**

March 7, 2022  
6:30 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Julie Asmus, Thomas Butterfield, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 6, Absent 2. Council Members Rick Fagerlie and Michael O'Brien were excused from the meeting.

Also present were City Administrator Leslie Valiant, Police Chief Jim Felt, Finance Director Steve Okins, Interim Public Works Director Gary Manzer, Parks and Recreation Director Rob Baumgarn, Planning and Development Services Director Justice Walker, City Clerk Judy Thompson, and City Attorney Robert Scott.

There were no additions or deletions to the agenda.

Council Member Asmus moved to approve the agenda as presented. Council Member Plowman seconded the motion, which carried unanimously.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of February 22, 2022
- B. Willmar Municipal Utilities Commission Minutes of February 25, 2022
- C. Planning Commission Minutes of January 19 and February 2, 2022
- D. Parks and Recreation Board Minutes of January 19, 2022
- E. Accounts Payable Report for February 17 – March 2, 2022
- F. Appointments to Boards/Commissions:
  - Airport Commission – Ryan Nelson
  - Planning Commission – Jasmine Miller
  - Park and Recreation Board – Kent Skoglund
  - Human Rights Commission – Margaret (Peggy) Karsten
  - Human Rights Commission – Heidi Jo Ahmann
  - Municipal Utilities Commission – Abdirahman Hussein Abdi (Kadar)
- G. Application for Exempt Permit – Sertoma Club
- H. **Resolution No. 2022-031 Removal of Khalif Bashir from Planning Commission**
- I. **Resolution No. 2022-032 Approving Willmar Township Fire Agreement**
- J. **Resolution No. 2022-033 Southwest Minnesota Arts Council Grant Application**
- K. Squad Car Purchase for 2022
- L. Council Work Session Summary of January 31, 2022

Council Member Asmus offered a motion to approve the Consent Agenda. Council Member Nelsen asked if Planning Commission Appointee Jasmine Miller had provided a personal email to the City, rather than her business email. Mayor Calvin stated Ms. Miller had provided the information as requested. Council Member Ask seconded the motion to approve the Consent Agenda, which carried on a roll call vote of Ayes 6, Noes 0.

There was no one present to speak during the Open Forum.

City Clerk Thompson presented the City's proposed redistricting plan in which there are minor changes. Being proposed, is moving 203 residents from Ward 3 Precinct 2 to Ward 1 Precinct 2, and moving 81 residents from Ward 3 Precinct 3 to Ward 2 Precinct 1. By doing so, the City meets the ward requirements of being as equal in population as practicable.

Due to audio problems, Mayor Calvin recessed the meeting at 6:41 p.m.

Mayor Calvin reconvened the meeting at 6:45.

Mayor Calvin opened the public hearing at 6:47 p.m. There being no one present to speak for or against the proposed redistricting plan, Mayor Calvin closed the public hearing at 6:48 p.m. and opened it up for discussion by the Council.

Council Member Asmus offered a motion to approve the proposed changes, as presented. Council Member Butterfield seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

At this time, Mayor Calvin presented to the Council, staff, and public the Mayor's 2022 State of the City Address (a copy of which is contained in the Council proceedings file).

City Clerk Thompson presented a request to introduce an ordinance repealing existing ward boundaries and authorizing the establishment of ward boundaries by resolution and set a public hearing for March 21, 2022.

Council Member Nelsen offered a motion to **Introduce an Ordinance Repealing Existing Ward Boundaries and Authorizing the Establishment of Ward Boundaries by Resolution** and set public hearing for March 21, 2022 at 6:31 p.m. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

MnDOT Engineer Phillip DeSchepper and SRF Consulting Representative Leif Garnass presented a request for the City to offer a letter of support to pursue the three-lane option for a portion of U.S. Highway 12 from just west of 11th Street SW to 6th Street SE.

Following discussion, Council Member Nelsen offered a motion to offer a letter of support from the City to pursue the three-lane option resulting in a design layout that subsequently requires municipal consent. Council Member Ask seconded the motion, which carried unanimously.

Planning and Development Services Director Walker presented pertinent information regarding a request from Harlan Rohner to rezone the property located at 2987 Highway 12 from I-2 (General Industry to GB (General Business) that was submitted to the Planning Commission. He noted the Planning Commission denied the request, and staff is opposed to spot-zoning properties.

Mr. Rohner and his attorney, Wayne Larson, spoke on behalf of the rezoning request, stating there are other businesses in the area zoned General Business and there is no substantial reason why the property should not be rezoned. Mr. Rohner has entered into a two-year lease with a tenant to operate a grocery store on the property.

Following a lengthy discussion, Council Member Ask offered a motion to approve the recommendation of the Planning Commission to deny the rezone. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 4, Noes 1. Council Member Butterfield voted "no". Council Member Plowman abstained from voting.

Interim City Engineer Jared Voge presented a request to consider accepting Project No. 1904 and authorize final payment to Duininck, Inc. in the amount of \$19,040.79.

Council Member Plowman introduced **Resolution No. 2022-034 Accepting Project No. 1904 and Authorizing Final Payment**. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Airport Manager Eric Rudningen presented a request to approve Airport Automated Weather Observation Station (AWOS) professional services work order with Bolton and Menk in the amount of \$25,000 (local contribution totaling \$7,500). MnDOT will furnish and install the new AWOS equipment and the City is responsible for the civil site work, which includes construction of tower, sensor pads, and running power to the site. MnDOT will provide a State grant for civil site work at a 70% State; 30% City share.

Following discussion, Council Member Plowman introduced **Resolution No. 2022-035 Authorization to Execute Work Order No. 4 with Bolton and Menk Airport Automated Weather Observation Station Installation.** Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Airport Manager Eric Rudningen presented a request to approve final plans and specifications of the 2022 Airport Apron Expansion Project and authorize advertisement for bids.

Following discussion, Council Member Plowman introduced **Resolution No. 2022-036 Approving Final Plans and Specifications and Authorizing Publication of the Advertisement for Bids for Airport Apron Expansion.** Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Parks and Recreation Department Director Baumgarn presented a request to approve the application for the 2022 Department of Natural Resources Trail Grant application. If approved, the City could receive up to \$200,000 to go toward improvements to the Glacial Lakes Trailhead project. The City would need to match 25% of the given funds, up to \$50,000, which has already been allocated in the Parks and Recreation CIP budget. All users groups would benefit from having much needed, modern facilities at the trailhead. This project would help provide year-round trail use for walkers, bicyclers, snowmobilers and more.

Council Member Nelsen introduced **Resolution No. 2022-037 Approving the Application for the 2022 Department of Natural Resources Grant Application.** Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

Parks and Recreation Department Director Baumgarn presented a request to approve an agreement with the Willmar Baseball Association for advertising rights at the Swansson Baseball/Softball Complex. The Willmar Baseball Boosters are requesting to place advertising signage on the fences at Green, Blue and the entrance of Elsie Klemmentson field (Orange). The proceeds of the advertising sales go back to the Willmar Baseball Association for programming and facility improvements. The agreement will run from April to September 2022, and will be a one-year agreement. It was noted the Parks and Recreation Board has recommended approval of the agreement.

Council Member Plowman introduced **Resolution No. 2022-038 Approving the Advertising Agreement with the Willmar Baseball Association for Advertising Rights at the Swansson Baseball/Softball Complex.** Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

City Clerk Thompson presented a request to approve a State application and permit for a 1-day to 4-day temporary on-sale liquor license for Foxhole Brewhouse Inc. dba Foxhole Brewhouse to serve alcohol at the Lakeland Broadcasting Spring Home and Outdoor Living Expo on April 1 and 2, 2022 being held at the Civic Center.

Council Member Davis offered a motion to approve staff's request. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 6, Noes 0.

City Attorney Robert Scott presented proposed amendments to the Comprehensive Assessment Policy for consideration by Council.

Council Member Asmus offered a motion to approve the Revised Comprehensive Assessment Policy as presented. Council Member Davis seconded the motion, which carried unanimously.

Council Member Asmus offered a motion to adjourn the meeting with Council Member Davis seconding the motion, which carried. The meeting adjourned at 8:43 p.m.

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
SECRETARY TO THE COUNCIL

**RESOLUTION NO. 2022-031**

**A RESOLUTION REMOVING A MEMBER OF THE PLANNING COMMISSION AND DECLARING A VACANCY  
TO EXIST ON THE PLANNING COMMISSION**

Motion By: Asmus Second By: Ask

**WHEREAS**, Planning Commission Member Khalif Bashir has not attended the previous seven meetings of the Willmar Planning Commission without explanation, as documented on Attachment 1 appended hereto;

**WHEREAS**, Section 4.01 of the Willmar Home Rule Charter provides that “[i]f any member of a board or commission fails to attend three (3) consecutive regular meetings of the board or commission, without being excused by the board or commission, the City Council may remove said member by an affirmative vote of five (5) members of the Council;” and;

**WHEREAS**, the Council finds that the Planning Commission needs active members in attendance to vote or decide on important issues and that habitual absenteeism on the commission frustrates the important and time-sensitive business of the commission and the City.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Willmar that:

1. Pursuant to Section 4.01 of the Willmar Home Rule Charter, Planning Commission Member Khalif Bashir is hereby removed from the Planning Commission.
2. The seat on the Planning Commission formerly held by Mr. Bashir is hereby declared to be vacant.

Adopted by the City Council of the City of Willmar on March 7, 2022.

Approved:

/s/ Marv Calvin  
Mayor

Attested:

/s/ Judy Thompson  
City Clerk

**Records of Absenteeism**

Planning Commission Meeting	Attendance
September 15	Yes
October 6, 2021	No
October 13, 2021	No
November 17, 2021 (Work Session)	No
December 15, 2021	No
January 5, 2022	No
January 19, 2022	No
February 2, 2022	No

As shown in the table above, the last time Commissioner Bashir attended a Planning Commission meeting was September 15, 2021.

**RESOLUTION NO. 2022-032**

**A RESOLUTION APPROVING WILLMAR TOWNSHIP FIRE AGREEMENT  
IN THE AMOUNT OF \$29,717.23**

Motion By: Asmus

Second By: Ask

WHEREAS Willmar Township annually contracts with the City of Willmar Fire Department for fire protection services; and

WHEREAS it is the established practice of the City of Willmar to use a statewide formula to calculate the township cost sharing proposal;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to execute the fire protection agreement with Willmar Township for the period April 1, 2022 through March 31, 2023, in the amount of \$29,717.23.

Dated this 7<sup>th</sup> day of March 2022.

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2022-033**

**AUTHORIZATION TO APPLY FOR AND ACCEPT IF AWARDED  
A SOUTHWEST MINNESOTA ARTS COUNCIL GRANT**

Motion By: Asmus

Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that city staff be authorized to apply for and, if awarded, accept a grant through the Southwest Minnesota Arts Council in the amount of \$2,500.

Dated this 7th day of March, 2022

/s/ Marv Calvin

MAYOR

Attest:

/s/ Judy Thompson

CITY CLERK

**RESOLUTION NO. 2022-034**

**A RESOLUTION ACCEPTING PROJECT NO. 1904 AND AUTHORIZING FINAL PAYMENT**

Motion By: Plowman

Second By: Nelsen

IMPROVEMENT: Project No. 1904– Shared Use Path

CONTRACTOR:	Duininck, Inc.
DATE OF CONTRACT:	September 21, 2020
BEGIN WORK:	October 8, 2020
COMPLETE WORK:	November 30, 2021
APPROVE, ENGINEERING DEPT:	January 14, 2022

**BE IT RESOLVED** by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 1904 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$541,991.50
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$541,991.50
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$525,681.50

Less Previous Payments	\$506,640.71
<b>FINAL PAYMENT DUE CONTRACTOR:</b>	<b>\$19,040.79</b>

Dated this 7th day of March, 2022

Attest: /s/ Marv Calvin  
Mayor

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-035**

**AUTHORIZATION TO EXECUTE WORK ORDER NO. 4 WITH BOLTON AND MENK  
AIRPORT AUTOMATED WEATHER OBSERVATION STATION INSTALLATION**

Motion By: Plowman Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into Work Order No. 4 between the City of Willmar and Bolton and Menk for the Airport Automated Weather Observation Station Installation.

Dated this 7th day of March, 2022

Attest: /s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-036**

**A RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS AND AUTHORIZING PUBLICATION OF  
THE ADVERTISEMENT FOR BIDS FOR AIRPORT APRON EXPANSION**

Motion By: Plowman Second By: Nelsen

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications an apron expansion at the Willmar Municipal Airport;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened on March 30, 2022 at 9:30 a.m. at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 7th day of March, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-037**

**A RESOLUTION APPROVING THE APPLICATION FOR THE 2022 DEPARTMENT OF  
NATURAL RESOURCES GRANT APPLICATION**

Motion By: Nelsen

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to approve the application for the 2022 Department of Natural Resources Grant application.

WHEREAS, the City of Willmar recognizes that it has secured \$50,000 in non-state cash-matching funds for this project.

NOW, THEREFORE, BE IT RESOLVED, if the City of Willmar is awarded by the Minnesota Department of Natural Resources, the City of Willmar agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above-referenced project. The City of Willmar will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED that the applicant has read the Conflict of Interest Policy contained in the Regional Trail Grant Manual and certifies it will report any actual, potential, perceived, or organizational conflicts of interest upon discovery to the state related to the application or grant award.

BE IT FURTHER RESOLVED, the City Council of the City of Willmar names the fiscal agent for the City of Willmar for this project as:

Steve Okins  
Director of Finance  
City of Willmar  
333 6<sup>th</sup> St SW  
Willmar, MN 56201

BE IT FURTHER RESOLVED, the City of Willmar hereby assumes the Civic Center Trailhead will be maintained for a period no less than 20 years.



Dated this 7<sup>th</sup> Day of March, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2022-038**

**A RESOLUTION APPROVING THE ADVERTISING AGREEMENT WITH THE WILLMAR BASEBALL ASSOCIATION FOR ADVERTISING RIGHTS AT THE SWANSSON BASEBALL/SOFTBALL COMPLEX**

Motion By: Plowman

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to approve the agreement with the Willmar Baseball Association for advertising rights at the Swansson Baseball/Softball Complex.

Dated this 7<sup>th</sup> Day of March, 2022

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk